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SUBJECT: LEGAL ADVISER BELLINGER MAKES CASE FOR GREATER CT  
COOPERATION

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Classified By: Ambassador Ronald Spogli for reasons 1.4 (b) and (d).

¶1. (C) Summary: State Department Legal Adviser John Bellinger joined the Ambassador in a series of events commemorating the September 11 attacks, urging support for the President's September 6 remarks on detainees and deeper counter-terrorism cooperation. Bellinger delivered the keynote address at a conference on the challenge of maintaining robust counter-terrorism policies post-9/11. At a lunch hosted by the Ambassador, Justice Minister Mastella underscored Italy's willingness to work with Europe to reinforce cooperation with the U.S. and other guests acknowledged that the Italy-US partnership is constant and deep. At a subsequent meeting at the PM's office, U/S Micheli said Italy is proud of its strong links with the U.S., in line with other important European countries, and underscored that the GOI will continue to be a strong partner in the fight against terrorism. At every level, Italian interlocutors emphasized that the change in government will not change Italy's commitment to maintaining a strong partnership with the U.S. in fighting international terrorism. The GOI, they maintained, is eager to continue the dialogue to find new ways to improve joint counter-terrorism efforts. End Summary.

¶2. (U) State Department Legal Adviser John Bellinger visited Rome on September 11 to commemorate the fifth anniversary of the attacks on the U.S. Bellinger participated in a conference at a local think tank, delivering the keynote address entitled "Freedom and Security: Counterterrorism and the Challenge of September 11, 2001." Interior Minister Amato chaired the event, which included an audience of over 160 and a variety of media. Amato moderated a Q&A session from the audience that engaged Bellinger on the legal and policy aspects of fighting terrorism. Bellinger and the Ambassador also conducted a series of interviews following

the conference, which were replayed throughout the day in various news outlets.

13. (C) The Ambassador hosted a luncheon that included Justice Minister Mastella, the chiefs of the National Police, Carabinieri, Guardia di Finanza, Prime Minister Prodi's diplomatic adviser, and deputy legal adviser at the Ministry of Foreign Affairs Astraldi. National Police Chief De Gennaro noted that home-grown terrorism requires a new legal framework that can facilitate prosecution and the transfer of suspects between states. Italy, he said, has experience fighting home-grown terrorism (such as the Red Brigades and a variety of anarchist movements), but the new trend involving terrorist suspects with multiple nationalities complicates the law enforcement work to bring them to justice.

14. (C) Stefano Sannino, PM Prodi's diplomatic adviser, welcomed the transparency in President Bush's recent series of speeches on terrorism. It is helpful to acknowledge past mistakes, he said, to pave the way toward reconciliation and look toward the future. He praised the way the US Administration was handling very sensitive intelligence and legal issues. MFA Deputy Chief of Diplomatic Litigation and Treatises (Deputy Legal-adviser equivalent) agreed, noting that Italy is trying to forge a common EU position on fighting terrorism and find ways at the EU level to bring the Union and the U.S. closer. One key problem, Mastella added, is the general lack of sensitivity--especially among Europeans--toward countries who seek to extradite individuals in high-profile cases. Often, these individuals are not turned over and therefore cannot be tried in the countries where they have committed crimes.

15. (C//NF) Bellinger met with U/S Enrico Micheli, of the PM's office, who is in charge of overall intelligence policy. Micheli was unexpectedly joined by Sannino and U/S for the cabinet Enrico Letta. Bellinger described the President's September 6 remarks in detail and urged senior Italian officials to acknowledge it as a step forward. Micheli said that Italy was proud of its close ties to the U.S. and that we need to look no further than the mutually beneficial intelligence cooperation we have maintained over the years. He said that the GOI had closely followed the President's remarks and welcomed the change in direction. Letta echoed Micheli's praise for the President's remarks, noting that Italy has been a strong partner on counterterrorism and will continue to be under a center left government. Letta emphasized that the change in government brought some changes

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in policy, such as Iraq, but that quote a change in tactic is not a change in strategy and Italy's response to Lebanon is one such example, end quote. The GOI, Letta said, wants to deepen bilateral discussions with the USG along the lines of issues Bellinger raised during his visit adding that the President's remarks struck a tone that the GOI shares.

16. (C) Bellinger noted that the September 11 commemoration event at the Italian Senate (immediately prior to the meeting at the PM's office) had touched him personally both for the words that President Marini chose to deliver as well as by the high-level attendance. (Note: Marini, who wrote most of the speech himself, passionately recalled the quote brotherly friendship unquote between the Italy and the U.S., characterizing the bonds between the two countries quote as strong as steel end quote. PM Prodi and a large number cabinet ministers, senior political leaders from the center-left and center-right, and radical left parties attended. End Note.) Letta said the Senate event was deliberately bipartisan and remarked that even all of the top labor union officials chose to attend.

17. (C) Comment: The outpouring of goodwill and high-level gestures during 9/11 commemoration events were meant to signal that five years on and with a change in government, the GOI remains committed to a strong partnership with the

U.S. in fighting terrorism. Italian contacts told us that Bellinger's visit so soon after the President's speeches demonstrated to them the USG's seriousness to talk about sensitive intelligence and legal issues.

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